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09/864,119	05/24/2001	David Paul Kuiken	AUS920010308US1	1470

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EXAMINER

NARAYANASWAMY, SINDYA

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/864,119

Applicant(s)

KUIKEN ET AL.

Examiner

Sindya Narayanaswamy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3, 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. Claims 1 – 39 are presented for examination.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 7, 9-11, 14, 15, 17-21, 25, 27-29, 32, 33, 35, 36 and 37-39 are rejected under 35 USC 102(e) as being anticipated by the Applicant's Admitted Prior Art (AAPA).

4. As per claim 1, the AAPA teaches a method for generating an event monitoring display, comprising: receiving an event message and inserting the event message into a field based on the identifier; presenting the field and automatically scrolling the field so that the event message is visible (page 1, lines 11-21). The AAPA does not explicitly state that the event message has associated with it an identifier, however, in order to access any event or message, it is inherent that there must be an associated identifier.

5. As per claims 2 and 3, the AAPA teaches the wherein the step of inserting the event message into the field comprises inserting the event message into the field in ascending or descending order (page 1, lines 11-21). The AAPA does not explicitly state that the event message is inserted in ascending or descending order based on an identifier. However, in order

organize a set of events in ascending or descending order, it is inherent that there must be a set of identifiers assigned to each event message in order for a sort to occur.

6. As per claim 7, teaches the method wherein the event message comprises a text message and the field is a text field (page 1, lines 2-4).

7. As per claim 9, the AAPA teaches the method for presenting messages in a field comprising: receiving a message, inserting the message into a field; and presenting the field (page 1, lines 11-21). The AAPA does not explicitly state that the event message is inserted based on an identifier. However, in order to insert event messages in an organized fashion (ascending or descending order), and then access them, it is inherent that there must be a set of identifiers assigned to each event.

8. As per claims 10 and 11, the AAPA teaches the method wherein the step of inserting the message into the field comprises inserting the message into the field in ascending or descending order (page 1, lines 1-21). The AAPA does not explicitly state that the event message is inserted in ascending or descending order based on an identifier. However, in order to organize a set of events in ascending or descending order, it is inherent that there must be a set of identifiers assigned to each event message in order for a sort to occur.

9. As per claim 14, the AAPA teaches the method wherein the step of presenting the field comprises scrolling the field so that the message is visible (page 1, 11-21).

10. As per claim 15, the AAPA teaches the method wherein the message comprises a text message and field is a text field (page 1, lines 2-4).

11. As per claims 17, the AAPA teaches the method for presenting messages in a field containing a plurality of messages, comprising: receiving a plurality of messages (*system configured to receive text messages*), categorizing the messages, sorting the messages by chronology, and then presenting the messages in a field (*messages are displayed/presented in chronological order*) (page 1, lines 11-25). The AAPA does not explicitly state that the event message has associated with it an identifier, however, in order to access any event or message and sort in chronological order, it is inherent that there must be an associated identifier.

12. As per claim 18, the AAPA teaches the wherein the plurality of message comprise text messages and the field is a text field (page 1, lines 2-4).

13. As per claims 19-21, they are the apparatus claims of claims 1-3 and are thus rejected on the same basis.

14. As per claims 25, 32, and 33 they are the apparatus claims of claims 7, 14 and 15 and are therefore rejected on the same basis.

15. As per claim 27, the AAPA teaches an apparatus for presenting messages in a field comprising: receipt means for receiving a message; insertion means for inserting the message into a field; and presentation means for presenting the field (page 1, lines 11-25). The AAPA does not explicitly state that the event message has associated with it an identifier, however, in order to access any event or message and sort in chronological order, it is inherent that there must be an associated identifier.

16. As per claims 28 and 29, they are similar in scope to claims 2 and 3 and are thus rejected on the same basis.

17. As per claim 35, the AAPA teaches an apparatus for presenting messages in a field containing a plurality of messages, comprising: receipt means for receiving a plurality of messages, means for sorting the messages by chronology and presentation means for presenting the messages (page 1, lines 11-25). The AAPA does not explicitly state that the event message has associated with it an identifier or that there is a means to categorize messages. However, in order to access any event or message and sort in chronological order, it is inherent that there must be an associated identifier. The inclusion of an identifier, which allows the chronological sort taught in the AAPA, inherently also categorizes messages by identifier, for regardless of whether ascending or descending chronological order is implemented, messages with identical identifiers will be categorized together in the field.

18. As per claim 36, it is the apparatus claim of claim 7 and is rejected on the same the basis.

19. As per claims 37—39, they are similar in scope to claims 1, 27, and 35 and are thus rejected on the same basis.

***Claim Rejections - 35 USC § 103***

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claims 4-6, 12, 13, 18, 22-24 and 30-31 are rejected under 35 USC 103(a) over the Applicant's Admitted Prior Art (AAPA).

22. As per claims 4 and 5, in addition to what is taught in claim 1, the AAPA does not specifically teach the method wherein the step of inserting the event message into the field comprises inserting the event message before a previous message with the same identifier, whereby messages with the same identifier appear in chronological or reverse chronological order. However, Official Notice is taken that chronological ordering of messages (based on a time or date stamp) is very well known in the art therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to extend the teachings of the AAPA

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to include the chronological ordering of messages for the subset of messages with the same identifiers in order to improve the organization of the message list.

23. As per claim 6, in addition to what is taught in claim 1, the AAPA does not teach the method wherein the identifier comprises an identification and a sub-identification. However, Official Notice is taken that it is well known in the art to attach a two-part identifier to a message therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to create an identifier comprising of both an identification and a sub-identification to classify event messages in a very specific manner (ie – chronological ordering of messages with the same identification, based on sub-identification).

24. As per claim 12, it is similar in scope to claim 4 and is thus rejected on the same basis.

25. As per claim 13, it is similar in scope to claim 6 and is thus rejected on the same basis.

26. As per claims 22-24, they are the apparatus claims of claims 4-6 and are thus rejected on the same basis.

27. As per claims 30 and 31, they are similar in scope to claims 5 and 6 and are thus rejected on the same basis.

28. Claims 8, 16, 26, 34 are rejected under 35 USC 103(a) over the Applicant's Admitted Prior Art (AAPA) in view of Chen et al. (hereinafter Chen), US 5,751,791.



29. As per claim 8, the AAPA does not teach the method wherein the event message includes at least one of sound data, image data, and video data. However, Chen teaches the method wherein the event message includes at least one of sound data, image data, and video data (col. 1, lines 54-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the AAPA to send event messages with text to also include Chen's method of handling event messages with video data in order to add a multimedia dimension to the event messages.

30. As per claims 16, 26, and 34 they are similar in scope to claim 8 and are therefore rejected on the same basis.

### ***Conclusion***

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. US 6,583,799 – image transmission within a message
- b. US 4,209,784 – inserts message and auto-scroll

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sindya Narayanaswamy whose telephone number is (703) 305-8473. The examiner can normally be reached on 8 am to 5 pm, first Fridays off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached at (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-5404 for regular communications and (703) 305-5404 for After Final communications. Any inquiry of a general nature or relating to the

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status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sindya Narayanaswamy

March 6, 2004

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